

REMARKS/ARGUMENTS

Status of Claims

Claims 1-2, 4-15, and 17-27 are pending in this application with claim 1 being the only independent claim. Claims 3 and 6 have been previously cancelled without prejudice. No claim has been amended herein. Reconsideration of the subject application is respectfully requested.

Overview of the Office Action

Claims 1-2, 4-5, 8, 17-24, and 27 have been rejected under 35 U.S.C. § 102(e) as being anticipated by US Pat. Appln. Pub. 2002/0118538 to Calon.

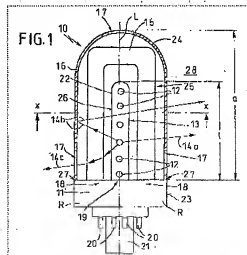
Claims 6-7 and 25-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Calon.

Claims 9-15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Calon and further in view of US Pat. Appln. Pub. 2003/0021117 to Chan.

Summary of the Subject Matter Disclosed in the Specification

The following descriptive details are based on the specification. They are provided only for the convenience of the Examiner as part of the discussion presented herein, and are not intended to argue limitations which are unclaimed.

The present specification discloses a lamp (10) having a base (11) for connection to a lamp socket on the lamp (10). A plurality of LED elements (12) are spaced apart from the base (11) and combined into a module (13) arranged on the base (11). The LED elements (12) in the module (13) are aligned in a substantially longitudinal direction of the lamp (10). The lamp (10) also has a non-



LED element (15), such as a compact fluorescent lamp or a high-pressure discharge lamp, arranged on the base (11). See, e.g., Fig. 1 and paras. [0039] and [0040] of the published application (i.e., US 2005/0099108).

The lamp (10) described above allows for homogeneous luminance distribution of the LED light emitted by the LED elements (12). See, para. [0004] of the published application.

Patentability of the Claimed Invention

Independent claim 1 is not taught by Calon

Independent claim 1 recites “a plurality of LED elements spaced apart from the base and combined to form one module arranged on the base” and that “the LED elements in the module are aligned in a substantially longitudinal direction of the lamp.” The LEDs so arranged allow the LED light generated to be distributed more uniformly in the full volume of the lamp. (See, e.g., para. [0006] of the published application.)

The above recited claim features are not taught by Calon because the LEDs 20, 20' in Calon are not (i) “combined to form one module arranged on the base,” (ii) “aligned in a substantially longitudinal direction of the lamp,” and (iii) “spaced apart from the base,” as explicitly recited in independent claim 1.

Calon teaches an integrated light source containing a light-transmitting discharge vessel 10 and LEDs 20, 20'. As Fig. 1 of Calon shows, the LEDs 20, 20' are individually and directly mounted to the base of the light source and positioned in a direction transverse to the longitudinal direction of the light source.

(i)

Calon does not teach that its LEDs 20, 20' are “combined to form one module arranged on the base” and “at least one non-LED lamp element arranged on the base”, as explicitly recited in independent claim 1. That is, independent claim 1 requires (1) a module arranged on a base

that includes a plurality of LEDs and (2) a non-LED lamp element that is arranged on the same base as the module.

There is no LED module in Calon that includes a plurality of LEDs. In contrast, as Fig. 1 of Calon shows, Calon's LEDs 20, 20' are each individually mounted on the top surface of the lamp base and a non-LED lamp 10 (i.e., the low-pressure mercury vapor discharge lamp) is mounted on the same base. Since the LED's 20, 20' of Calon are individually arranged on the base which holds the non-LED lamp, without combining into a module, Calon can not be considered to teach any LEDs 20, 20' "combined to form one module arranged on the base," as explicitly recited in independent claim 1.

Independent claim 1 is thus not taught by Calon for at least the above reasons.

(ii)

Calon also fails to teach that its LEDs 20, 20' are "aligned in a substantially longitudinal direction of the lamp," as explicitly recited in independent claim 1.

The Office Action refers to an online dictionary (i.e., www.dictionary.com) and defines the term "longitudinal" in independent claim 1 as "extending in the direction of the length of a thing" (see, page 6 of the Office Action; emphasis added). The Office Action then concludes that the direction in which the LED's 20, 20' are aligned is the longitudinal direction of Calon's lamp. *Id.* Applicants disagree with such conclusion because the Office Action, in reaching the above conclusion, disregards the word "length" in the above definition of the term "longitudinal."

According to the same online dictionary source relied upon in the Office Action, the term "length" means "the longest extent of anything as measured from end to end" (see, www.dictionary.com; emphasis added). Based on the above definition of the word "length," one

skilled in the art will find that the Office Action incorrectly interprets the length of Calon's lamp to cross the LEDs 20, 20' in Calon.

The lamp shown in Fig. 1 of Calon has various end-to-end extents with different orientations. As one skilled in the art will appreciate from the illustration in Fig. 1 of Calon, the longest extent of the Calon's lamp is positioned along its longitudinal axis, similarly to the longitudinal axis L of the lamp (10) of the present invention (see, para. [0040] and Fig. 1 of the published application). In other words, the longest extent of the Calon's lamp is in the vertical direction when Calon's lamp is positioned in the upright position as illustrated in Fig. 1 of Calon. None of the horizontal end-to-end extents in Calon's lamp, including that crossing the LED's 20, 20', is longer the end-to-end extent along the longitudinal axis of Calon's lamp. Therefore, the length of Calon's lamp extends from the top to the bottom of the lamp in the vertical direction when Calon's lamp is in an upright position shown in Fig. 1.

Based on the above definition of "length," the longitudinal direction of Calon's lamp is the vertical direction shown in Fig. 1. Accordingly, contrary to the conclusion asserted in the Office Action, Calon's LED's 20, 20' are aligned in a direction transverse to the longitudinal direction of the lamp. Therefore, Calon does not teach its LED's 20, 20' being "aligned in a substantially longitudinal direction of the lamp," as explicitly recited in independent claim 1. Independent claim 1 is thus not taught by Calon for the above additional reasons.

(iii)

Calon does not teach that its LEDs 20, 20' are "spaced apart from the base," as explicitly recited in independent claim 1.

In Calon, the LED's 20, 20', through their contacts, are directly mounted on the top surface of the lamp base, as is shown in Fig. 1 of Calon. Accordingly, Calon's LED's 20, 20',

including their contacts, are not "spaced apart from the base," as explicitly recited in independent claim 1.

Therefore, independent claim 1 is not taught by Calon for the above additional reasons.

In view of all the above, withdrawal of the claim rejection of independent claim 1 is respectfully requested.

Independent claim 1 is not obvious over Calon

The above recited claim features of independent claim 1 are not obvious over Calon as Calon is silent about altering either the position or the alignment of the LED's 20, 20' to arrive at the claimed invention.

In addition, one skilled in the art will not be motivated to modify Calon to arrive at the claimed invention because the lamps of the present application and Calon have different technical principles.

One of the objects of the present application is to provide a lamp having a homogenous luminance distribution of the LED light (see, para. [0004] of the published application). To reach such homogenisation of the LED light, the present invention proposes to arrange the LED's (12) in a spaced apart relationship from the base (11) along a longitudinal direction of the lamp (10). As is shown in Fig. 1 of the present application, the LED elements (12) are distributed and positioned along the volume of the lamp (10), thereby a homogenous light distribution of the LED light can be obtained (see, paras. [0005] and [0006] of the published application).

Calon on the other hand teaches a light source for use as a night lamp, which serves inter alia for orientation at night (see, para. [0012] of Calon). For such night lamps however no homogenous LED light distribution is of any particular interest. As can be seen from Fig. 1 of Calon, its LED's 20, 20' are not distributed in the full volume of the bulb. Instead, Calon's

LED's 20, 20' are arranged "in concentrated manner" on the top surface of the base. Consequently, Calon's lamp is unable to provide homogenous distribution of the LED light, as does the lamp recited in independent claim 1.

In view of the above, one skilled in the art will appreciate that Calon's lamp does not concern, or even has interest in, homogenisation of the LED light and consequently will not be motivated to look to Calon when contemplating the invention as recited in independent claim 1. Accordingly, it is not obvious to modify Calon to arrive at independent claim 1:

Dependent Claims 2, 4-15 and 17-27

Claims 2, 4-15 and 17-27 depend, directly or indirectly, from allowable independent claim 1. Chan was cited in the Office Action against the additional features in claims 9-15 but do not remedy the deficiencies of Calon. Therefore, claims 2, 4-15 and 17-27 are allowable for at least the same reasons that independent claim 1 is allowable.

In addition, claims 2, 4-15 and 17-27 include features which serve to even more clearly distinguish the claimed invention over the cited art.

Conclusion

Based on all of the above, it is respectfully submitted that the present application is now in proper condition for allowance. Prompt and favorable action to this effect and early passing of this application to issue are respectfully solicited.

Respectfully submitted,
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